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Letter dated 18 May 2000 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

I have the honour to transmit to the General Assembly at its special session entitled "Women 2000: gender equality, development and peace for the twenty-first century" the outcome of the workshop on women in the criminal justice system which was conducted during the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (Vienna, 10-17 April 2000) (see annex).

Through the holding of this workshop, the Tenth Congress greatly contributed to the system-wide commitment of implementing a gender perspective and the advancement of women.

I should be grateful if you would have the report annexed hereto circulated as a document of the twenty-third special session of the General Assembly.

(*Signed*) Gerhard **Pfanzelter**
Ambassador

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Annex to the letter dated 18 May 2000 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

Workshop on women in the criminal justice system

1. The workshop on women in the criminal justice system, organized by the European Institute for Crime Prevention and Control, affiliated with the United Nations, was held on 13 and 14 April 2000. It consisted of four modules: women as offenders and prisoners; women as victims and survivors; women in the criminal justice system; and research and policy issues.

Discussion

2. During the workshop, a broad range of views were presented by practitioners, policy makers, advocates of victims' and women's rights, and researchers. The programme of the workshop included several video presentations on the problems confronted by women in the criminal justice system. The Minister of Justice and Attorney-General of Canada and the Minister of Justice and Customs of Australia made presentations. Three major themes emerged during the workshop: the importance of international research and analysis; the importance of simultaneous international action; and the importance of international declarations and standards.

3. From the presentations and the ensuing discussion, it became clear that the issue of women in crime and the criminal justice system was growing in importance. That development posed problems related to both criminal justice and human rights. The greater presence of women in crime could be attributed to numerous factors, such as punitive drug laws that had a disproportionate impact upon women, high rates of physical and sexual abuse, and increased victimization stemming from trafficking in persons. The increased presence of women in the criminal justice system, especially in prisons, created enormous problems, as incarceration perpetuated violence against women. There was a need to use programming and management approaches for women that were different from those used for men and to ensure that treatment for women took into account gender mainstreaming.

4. It was stated that research on women in the criminal justice system had focused on a number of important areas relating to the gender gap. While that research had made enormous contributions, such as demonstrating that surveys of crime victims could be conducted successfully in developing countries, as well as in developed countries, there were many areas that required further research. There was a great need for research linking policy and practice. In particular, there was a need for documenting successful programmes for women. There was also a need for more research aimed at the following: providing accurate data on trafficking in persons, in particular, on women's involvement as offenders in such trafficking; and examining the causes and contexts of such trafficking as they related to policy development. Other important research topics included: the changing profile of female criminality; women inmates with young children; and the special difficulties faced by women as foreign nationals in prison.

Conclusion

5. There was consensus among the participants in the workshop on the need for action in the following areas:

(a) Women and girls who are victimized should be afforded the fundamental rights of protection, justice, support in breaking the cycle of victimization, and reintegration into the community;

(b) Efforts should be made to raise the awareness of the public and officials concerning the dehumanizing and exploitative nature of women's victimization;

(c) The international community should reject attempts to justify the victimization of women on cultural grounds;

(d) In offences involving women, the criminal justice systems of Member States should focus on the abuser and the exploiter, as well as on the abused victim, including by recognizing the role of facilitators in trafficking in women and girls;

(e) Civil remedies should be made available to victimized women and girls in order to permit them to pursue claims against those who committed the crimes against them;

(f) There should be a collective response in addressing women's victimization. That response should include indigenous solutions that utilize existing structures and available services;

(g) Concerted effort should be made at the global level to correct the economic conditions that facilitate the economic and sexual exploitation of women and girls;

(h) Harmonized and coordinated strategies should be pursued, including joint action programmes and research efforts, strengthened communications, and collaborative networks involving governmental agencies and non-governmental organizations.